

No. 5619-3Lab-77/15292.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana, is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workman and the management of M/s. Haryana Electric Udyog Head Office Cool Home Electric Capital 22-B, N. I. T., Faridabad C/o American Universal.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 179 of 1975

between

SHRI MOOL CHAND SHARMA WORKMAN AND THE MANAGEMENT OF M/S HARYANA
ELECTRIC UDYOG HEAD OFFICE COOL HOME ELECTRIC CAPITAL 22-B, N. I. T.,
FARIDABAD C/O AMERICAN UNIVERSAL

Present ;

Shri Roshan Lal Sharma, for the workman.

Shri R. C. Sharma, for the management.

AWARD

By order No. ID/FD/75/70091, dated 3rd December, 1975, the Governor of Haryana, referred the following dispute between the management of M/s. Haryana Electric Udyog Head Office Cool Home Electric Capital 22-B, N. I. T., Faridabad C/o American Universal and its workman Shri Mool Chand to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Mool Chand Sharma was justified and in order ?
If not, to what relief is he entitled ?

On receipt of the reference, notices were issued to the parties. The parties appeared and put their pleadings. The management raised an objection that the name of the management is not the same as has been in the order of reference. The management stated that his name is Haryana Electric Udyog (P) Ltd., and this name is not given in the order of reference. On this objection a preliminary issue was framed on 12th May, 1976.

Whether the reference is bad in law and liable to be rejected on the grounds of the preliminary objections as stated in the written statement ?

The management examined Shri Satish Aggarwal, Accountant in M/s Haryana Electric Udyog (P) Ltd; who stated that there was no industry by the name and style of the management as described in the order of reference. He produced Exhibit M-1 in which also the name of the management is described as Haryana Electric Udyog (P) Ltd. Thereafter the case was set for the evidence of the workman. Three adjournments were granted to the workman who neither appeared nor led any evidence.

When the name of the management has been described erroneously and the management is not described correctly, what evidence could be led by the workman? Therefore, he did not lead any evidence, nor there was any use of granting any other adjournment. I, therefore, give my award as follows :—

That there is no dispute between the workman Shri Mool Chand Sharma and the management as described in the order of reference. The management described in the order of reference is not in existence. The employer *qua* the workman concerned in Haryana Electric Udyog (P) Ltd., and this name does not find place in the order of reference. Therefore, there is no dispute between the parties as described in the order of reference. This award shall not be deemed as award on merits and shall not debar the workman concerned to move for another reference in the name of the correct management i. e., Haryana Electric Udyog (P) Ltd. However if the law allows and the workman is so serious to get the name of the management corrected, he may also do that.

NATHU RAM SHARMA,

Dated 1st June, 1977.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 514, dated 30th May, 1977

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated 30th May, 1977.

No. 5517-3Lab-77/15294.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of M/s Pindi Metal Works, Jagadhari

BEFORE SHRI MOHAN LAL JAIN, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 106 of 1975

between

SHRI RAJA RAM, WORKMAN AND THE MANAGEMENT OF M/S PINDI METAL
WORKS, JAGADHARI

AWARD

By order No. ID/AMB/436-A-75/69879, dated 2nd December, 1975, the Governor of Haryana, referred the following dispute between the management of M/s. Pindi Metal Works, Jagadhari and its workman Shri Raja Ram to this Court, for adjudication, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

“Whether the termination of services of Shri Raja Ram was justified and in order? If not, to what relief is he entitled?”

The parties put in their appearance in this Court in response to the usual notices of reference sent to them and filed their pleadings giving rise to the following issues framed by my order dated 21st February, 1977:—

1. Whether the workman concerned ever withdrew the demand raised by him on the management leading to this reference either expressly or impliedly?
2. If not, whether the termination of services of Shri Raja Ram was justified and in order? If not, to what relief is he entitled?

The management examined Shri Ashok Kumar one of their partners in support of issue No. 1 and led no other evidence. Shri Ashok Kumar deposed that the workman concerned had sent a letter copy whereof was Ex. M-1 to the Labour Officer withdrawing the demand served by him on them leading to this reference, on the ground that he had been reinstated.

The case was fixed for recording the rebuttal of the workman for 26th May, 1977 when he absented himself and the management put in their appearance with the result that *ex parte* proceedings were taken up against him.

I, see no reasons to disbelieve the statement of Shri Ashok Kumar referred to above particularly when the proceedings against the workman are *ex parte* and he has taken no care to pursue the demand raised by him on the management leading to this reference. His absence under the circumstances stated above indirectly supports the plea of the management that he had withdrawn the demand and there is now no dispute between the parties requiring adjudication.

I, therefore, relying on the statement of Shri Ashok Kumar hold that the demand leading to this reference has since been withdrawn and there is now no dispute between the parties requiring adjudication. I accordingly answer the reference while returning the award in these terms.

Dated the 30th May, 1977.

MOHAN LAL JAIN,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 1074, dated the 31st May, 1977

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

MOHAN LAL JAIN,

Presiding Officer,
Labour Court Haryana,
Rohtak.

P. P. CAPRIHAN,

Commissioner and Secy.

राजस्व विभाग

युद्ध जागीर

कीरीजन्डम

दिनांक 20 जून, 1977

क्रमांक 941-ज(I)-77/15376.—हरियाणा सरकार, राजस्व विभाग की युद्ध जागीर अधिसूचना क्रमांक. 414-ज(I)-77/9886, दिनांक 10 अप्रैल, 1977 जो कि हरियाणा सरकार के राज्यपत्र दिनांक 26 अप्रैल, 1977 में मुद्रित की गई है, की क्रम संख्या 2 के विस्तृत कालम नं० 6 और 7 में 'खरीफ 1970 से' तथा '150/- से' की अन्त में लिखा जाए।

दिनांक 21 जून, 1977

क्रमांक 462-ज-II-77/15567.—श्री अभय राम, पुत्र श्री मुनी राम, गांव बसई, तहसील व जिला गुड़गांव की दिनांक 1 सितम्बर, 1969 को हुई मृत्यु के परिणामस्वरूप भारत के राष्ट्रपति, पूर्वी पंजाब युद्ध पुरस्कार अधिनियम, 1948 (जैसा कि उसे हरियाणा राज्य में अपनाया गया है और उसमें आज तक संशोधन किया गया है) की धारा 4 एवं 2 (ए) (1) तथा 3 (1) के अधीन प्रदान की गई शक्तियों का प्रयोग करते हुए सहर्ष आदेश देते हैं कि श्री अभय राम को मुब्लिंग 140 रु० वार्षिक की जागीर जो उसे हरियाणा सरकार की अधिसूचना क्रमांक 264-र-4-66/1143, दिनांक 18 अप्रैल, 1967 द्वारा मंजूर की गई थी, अब उसकी विधवा श्रीमती राम कली देवी के नाम रबी, 1970 से 140 रु० वार्षिक तथा खरीफ, 1970 से 200 रु० वार्षिक की दर से सनद में दी गई शर्तों के अन्तर्गत तबदील की जाती है।

दिनांक 29 जून, 1977

क्रमांक 926-ज(I)-77/16135.—पूर्वी पंजाब युद्ध पुरस्कार अधिनियम, 1948 (जैसा कि उसे हरियाणा राज्य में अपनाया गया है और उसमें आज तक संशोधन किया गया है) की धारा 2(1ए) तथा 3(1ए) के अनुसार सीपे गये अधिकारों का प्रयोग करते हुए हरियाणा के राज्यपाल श्रीमती जमना, विधवा श्री मेधा राम, गांव बुडाक, तहसील व जिला हिसार को खरीफ, 1965 से रबी, 1970 तक 100 रुपये वार्षिक तथा खरीफ, 1970 से 150 रुपये वार्षिक कीमत वाली युद्ध जागीर सनद में दी गई शर्तों के अनुसार सहर्ष प्रदान करते हैं।

क्रमांक 835-ज(I)-77/16141.—श्री भगवान सिंह, पुत्र श्री शोंक राम, गांव नीमडी, तहसील दादरी, जिला भिवानी की दिनांक 24 जुलाई, 1975 को हुई मृत्यु के परिणामस्वरूप हरियाणा के राज्यपाल, पूर्वी पंजाब युद्ध पुरस्कार अधिनियम, 1948 (जैसा कि उसे हरियाणा राज्य में अपनाया गया है और उसमें आज तक संशोधन किया गया है) की धारा 4 एवं 2 (ए) (1ए) तथा 3 (1ए) के अधीन प्रदान की गई शक्तियों का प्रयोग करते हुए सहर्ष आदेश देते हैं कि श्री भगवान सिंह को मुब्लिक 150 रुपये वार्षिक की जागीर जो उसे पंजाब/हरियाणा सरकार की अधिसूचना क्रमांक 3925-जे एन-(III)-66/5562, दिनांक 2 अप्रैल, 1966 तथा अधिसूचना क्रमांक 5041-आर-III-70/29505, दिनांक 8 दिसम्बर, 1970 द्वारा मंजूर की गई थी, अब उसकी विधवा श्रीमती माना देवी के नाम रबी, 1976 से 150 रुपये वार्षिक की दर से सनद में दी गई शर्तों के अन्तर्गत तबदील की जाती है।